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23544 7590 01/13/2005

Applied Biosystems
35 Wiggins Avenue
BEDFORD, MA 01730

04/12/2005 HUONG2 00000042 501191 10017445

01 FC:1504 300.00 DA
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<i>BRIAN D. GILDEA</i>	(Depositor's name)
<i>Brian D. Gildea</i>	(Signature)
<i>Apr. 18, 2005</i>	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,445	12/14/2001	Susan Rigby	BP0003-US	6377

TITLE OF INVENTION: METHODS FOR DETERMINING ORGANISMS NOT REQUIRING THE SEPARATION OF FIXATIVE OR EXCESS PROBE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional	NO	\$1400	\$300	\$1700	04/13/2005
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EXAMINER	ART UNIT	CLASS-SUBCLASS
SAKELARIS, SALLY A	1634	435-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 *Brian D. Gildea*

2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Boston Probes, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Bedford, MA

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies 5

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 501191 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Brian D. Gildea*

Date *Apr. 18, 2005*

Typed or printed name *Brian D. Gildea*

Registration No. *39,995*

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Case No. BP0003-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
RIGBY et al.
Serial No.: 10/017,445
Filed: 12/14/2001
For: **Methods for Determining Organisms
Not Requiring the Separation of Fixative
or Excess Probe**
Confirmation No. 6377

) Group Art Unit: 1634

)) Examiner: Sekelaris, Sally A.

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CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attention: Mail Stop: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
<u>April 8, 2005</u> (Date of Deposit)	
<u>BRIAN D. GILDEA</u> Name of Depositing Party	
<u>Brian D. Gildea</u> Signature	

ISSUE FEE AND PUBLICATION FEE TRANSMITTAL

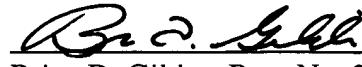
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Sir:

Per the Notice of Allowance mailed 01/13/2005, please charge the issue fee of \$1,400.00, publication fee of \$300.00, and advance order fee for \$30.00 (for a total of \$1,730.00) for the above-referenced case to **Deposit Account No. 501191 (Order No. BP0003-US)**.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR § 1.16 and 1.17, or credit overpayment to **Deposit Account No. 501191 (Order No. BP0003-US)**.
A duplicate of this sheet is enclosed.

Respectfully submitted,


Brian D. Gildea, Reg. No. 39,995
Attorney for Applicants

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